Northwest Territories

Gwich'in Tribal Council

and

Government of the Northwest Territories

Umbrella Intergovernmental Agreement regarding Intergovernmental Cooperation and Coordination

October 2012

Gwich'in Tribal Council

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Government of the Northwest Territories

Umbrella Intergovernmental Agreement

regarding

Intergovernmental Cooperation and Coordination

PREAMBLE

Whereas the Gwich'in have traditionally used and occupied lands in the Northwest Territories, Yukon and Alaska from time immemorial;

Whereas chiefs and headmen representing the Gwich'in signed Treaty 11 in July, 1921;

Whereas the Gwich'in and the Government of the Northwest Territories (GNWT) are signatories to the Gwich'in Comprehensive Land Claim Agreement (GCLCA), a modern treaty approved by Order in Council dated April 10, 1992;

Whereas the GNWT recognizes that the Gwich'in are an Aboriginal people of Canada and that the inherent right of self-government is an existing Aboriginal right under Section 35(1) of the Constitution of Canada, 1982;

Whereas the Gwich'in and the GNWT are committed to achieving a Gwich'in self-government agreement by way of good faith negotiations;

Whereas the Gwich'in Tribal Council is the responsible Aboriginal government on behalf of Gwich'in and the GNWT is the public government on behalf of all the citizens of the NWT;

Whereas the Gwich'in Tribal Council and GNWT recognize their concurrent responsibility to Gwich'in citizens of the NWT;

Whereas the GNWT is committed to building and maintaining a mutually respectful government-to-government relationship with the Gwich'in; and

Whereas the Gwich'in and the GNWT acknowledge that cooperation and coordination among political leadership and senior officials is key to fulfilling the potential of the government-to-government relationship;

Now therefore, the Gwich'in and the GNWT wish to formalize the government-to-government relationship by way of intergovernmental agreements and operationalize the relationship by way of regular meetings of political leadership and senior officials.

OBJECTIVES

1. Enhance the practical realization of the government-to-government relationship;
2. Enhance the day-to-day interaction, cooperation and coordination of the Gwich'in Tribal Council and the GNWT; and
3. To raise issues and resolve concerns in a manner that reflects Gwich'in and public interests.

PRIORITY TOPICS FOR CONSIDERATION

The items listed below are considered by the Parties as priority topics for further consideration and discussion:

1. The provision of effective social programs in all Gwich'in communities, most notably health services, education, income support, services for elders, housing, and policing and justice;

2. Economic development in the Gwich'in Settlement Area and to realize the potential for Gwich'in to participate fully in all aspects of the Northern economy;

3. Employment, skill development and job training for Gwich'in participants;

4. Management of air, land, water and wildlife issues; and

5. Any other areas of mutual interest identified by the Gwich'in Tribal Council and the GNWT.

INTERGOVERNMENTAL AGREEMENTS

Where appropriate, the Gwich'in Tribal Council and GNWT will endeavour to achieve intergovernmental agreements on the above mentioned and other matters.

INFORMATION SHARING

The Gwich'in Tribal Council and the GNWT recognize that in order to effectively make progress on areas of mutual interest it is important that information be shared in an open and timely manner.

The Gwich'in Tribal Council and the GNWT are committed to meaningful communication on GNWT initiatives that will have an impact on the Gwich'in.

In order to facilitate achieving effective progress on areas of mutual interest, the Gwich'in Tribal Council and the GNWT will adhere to the following protocols for effective communication between governments:

- Each government will notify the other of upcoming activities, regional visits, emergent issues of concern, and upcoming consultations.

  For example, the GNWT should advise the Gwich'in Tribal Council when Ministers and/or MLAs are intending to visit Gwich'in communities.

Protocols for formal correspondence include, but are not limited to:

- GNWT formal correspondence addressed to the President and/or Vice President of the Gwich'in Tribal Council should be copied to the Gwich'in Tribal Council Chief Operating Officer, the Gwich'in Tribal Council Director of Intergovernmental Relations, the Premier of the Northwest Territories and the Deputy Minister of Aboriginal Affairs and Intergovernmental Relations;

- Gwich'in Tribal Council formal correspondence addressed to the Premier of the Northwest Territories should be copied to the Deputy Minister of Aboriginal Affairs and Intergovernmental Relations;

- Gwich'in Tribal Council formal correspondence addressed to Ministers of the GNWT should be copied to the Premier of the Northwest Territories and the Deputy Minister of Aboriginal Affairs and Intergovernmental Relations; and

- GNWT formal correspondence addressed to Designated Gwich'in Organizations should be copied to the President of the Gwich'in Tribal Council and Gwich'in Tribal Council Chief Operating Officer.

GOVERNMENT-TO-GOVERNMENT MEETINGS

Meetings of Elected Leaders

Regular meetings of elected leaders will build and maintain a mutually respectful government-to-government relationship between the Gwich'in Tribal Council and the GNWT.

- There shall be two meetings a year between the Gwich'in Tribal Council Board of Directors and all Members of the GNWT Executive Council.

- One meeting will be in the Gwich'in Settlement Area and one will be in Yellowknife.

- In order to ensure that a dialogue takes place during the Operating and Maintenance and Capital Planning processes, efforts will be made to hold meetings in the first and third quarter of each year.

- Meetings will be co-chaired by the Premier of the Northwest Territories and the President of the Gwich'in Tribal Council.

- Each government may invite other elected officials, senior staff and other advisors, such as elders, to attend these meetings. Only the Gwich'in Tribal Council Board of Directors and Members of the GNWT Executive Council will sit at the table.

- Prior to these meetings, the governments shall reach agreement on a joint agenda.

- As soon as is practical after these meetings, the governments will agree upon a joint summary of outcomes and commitments.

Meetings of Officials

Meetings between senior officials will support the government-to-government work of elected leaders.

- Each government will designate a lead official responsible for coordinating preparation and follow-up of the meetings of elected leaders.

- Officials shall meet in order to assist in the scheduling of, and preparation for, meetings of elected leaders including developing a joint agenda and shared briefing materials.

- After meetings of elected leaders, officials will assist in the development of the summary of outcomes and commitments and will develop a work plan in support of the meetings to ensure that meeting outcomes are fulfilled where applicable.

- Senior officials from the Gwich'in Tribal Council will be invited on occasion to the GNWT Deputy Ministers' Committee and the Beaufort-Delta Regional Management Committee meetings.

COSTS

All costs associated with the activities highlighted within this agreement are the individual responsibility of the participating government.

EFFECT OF THE AGREEMENT

Nothing in this *Gwich'in Tribal Council – Government of the Northwest Territories Umbrella Intergovernmental Agreement Regarding Intergovernmental Cooperation and Coordination* creates legal obligations.

Nothing in this Agreement shall constrain the respective governments from exercising their powers and responsibilities.

Nothing in this Agreement prevents the Gwich'in Tribal Council and the GNWT from participating in other intergovernmental processes or agreements.

TERMS OF THE AGREEMENT

The *Gwich'in Tribal Council – Government of the Northwest Territories Umbrella Intergovernmental Agreement Regarding Intergovernmental Cooperation and Coordination* shall be in effect for a period of four years from the date of signing. The Agreement may be periodically reviewed and, upon written consent, may be renewed for a further term as agreed to by both governments.

The Agreement may be reviewed and amended upon written notice being given to the other government at least 60 days in advance with the mutual agreement of both governments.

The Agreement may be terminated by either government upon written notice to the other government at least 60 days in advance of the termination date.

SIGNATORIES

The *Gwich'in Tribal Council – Government of the Northwest Territories Umbrella Intergovernmental Agreement Regarding Intergovernmental Cooperation and Coordination* is signed by the Gwich'in Tribal Council and the Government of the Northwest Territories on this 12th day of October, 2012.

FOR THE GWICH'IN TRIBAL COUNCIL

President Robert A. Alexie

Carolyn Lennie, President
Gwichya Gwich'in Council

William Koe, President
Tetlit Gwich'in Council

Danny Greenland, President
Ehdiitat Gwich'in Council

Jozef Carnogursky, President
Nihtat Gwich'in Council

FOR THE GOVERNMENT OF THE NORTHWEST TERRITORIES

Honourable Robert R. McLeod